



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**September 22, 2005**

For immediate release

- 1. Public asked for input on new water quality standards**
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## **PUBLIC ASKED FOR INPUT ON NEW WATER QUALITY STANDARDS**

DES MOINES — The DNR is looking for Iowans' input as it works towards strengthening the state's water quality standards. Public hearings across the state will provide discussion on changes needed to improve protection for Iowa's waters and allow Iowans to formally provide input on proposed changes to water quality rules.

Water quality standards are the cornerstone for many of the DNR's water quality programs. The standards define uses for rivers, streams and lakes in determining what the level of water quality should be for each water body. Some standards are oriented toward providing a safe supply of drinking water, some are designed to protect aquatic life and wildlife, and some are to ensure safe recreational uses for the public, such as swimming. The proposed rule changes will only affect recreational and aquatic life uses.

Iowa's water quality standards are in the beginning stages of major revisions. As the standards change, some wastewater treatment facilities and industries may need to make significant changes to meet the new standards.

"We expect these rules to improve water quality," said Wayne Gieselman, head of DNR environmental services. "Even though their activities aren't regulated under this rulemaking, Iowa's private landowners and agricultural producers will also have to take responsibility to assist in making significant improvements in our water quality."

Iowans can voice their ideas and opinions by attending one of the following hearings across the state:

**Atlantic**

Oct. 4, 11:00 a.m.  
Municipal Utilities Conference Room  
15 West Third St.

**Cherokee**

Oct. 4, 7:00 p.m.  
Cherokee Community Center  
530 West Bluff St.

**Clear Lake**

Oct. 10, 7:00 p.m.  
Clear Lake Community Meeting Room  
15 North Sixth St.

**Des Moines**

Oct. 14, 1:00 p.m.  
Wallace State Office Building, fifth floor conference rooms  
502 East Ninth St.

**Manchester**

Oct. 12, 11:00 a.m.  
Farmers and Merchants Savings and Trust  
101 East Main St.

**Washington**

Oct. 12, 7:00 p.m.  
Washington Community Y  
121 East Main St.

Both oral and written comments are welcome at the hearings. The proposed rules, or Notices of Intended Action, have been published in the Iowa Administrative Bulletin and are available along with additional information regarding this rule making effort at [www.iowadnr.com/water/standards/rulemaking.html](http://www.iowadnr.com/water/standards/rulemaking.html).

It should be noted that the hearings in Atlantic and Cherokee are scheduled for Oct. 4, not Oct. 5, as previously stated in draft versions of the proposed rules.

Written suggestions and comments can also be submitted through Oct. 28 via mail, fax or e-mail. Send comments to:

Mail: Adam Schnieders, Iowa DNR; 502 E. 9th St., Des Moines, IA 50319-0034.

Fax: (515) 281-8895

E-mail: [adam.schnieders@dnr.state.ia.us](mailto:adam.schnieders@dnr.state.ia.us)

Anyone who plans to attend a public hearing and has special requirements, such as those related to hearing or mobility, should contact Adam Schnieders at (515) 281-7409 or Chris Spoelstra at (515) 281-7503.

**For more information, contact Adam Schnieders at (515) 281-7409 or Chris Spoelstra at (515) 281-7503.**

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## **DNR REQUESTS INPUT ON DESIGN RULES FOR OPEN FEEDLOTS**

DES MOINES – Livestock producers and other interested people will have an opportunity to comment on new rules for designing open feedlots during early October.

“The rules were passed on an emergency basis in August and are now in effect,” said Gene Tinker, coordinator of DNR animal feeding operations.

“However, these six public hearings will give producers and others a chance to have input on the rules,” he added.

The proposed rules provide design standards for open feedlots that must have construction permits, particularly those that have planned to use alternative technologies such as vegetative treatment areas. Generally, larger open feedlots that are required to apply for national pollutant discharge elimination system (NPDES) permits are required to have a construction permit prior to building, expanding or modifying an operation.

The following public hearings will be held on the proposed rule for open feedlot operations:

- Oct. 4, at 10 a.m., at the Red Oak Fire Station, 1904 N. Broadway St., in Red Oak
- Oct. 4, at 6:30 p.m., at the DMACC–Carroll Campus, Main Building, Rooms 142–146, 906 N. Grant Road, in Carroll
- Oct. 5, at 10 a.m., at the Clay County Regional Events Center, 800 West 18th St., in Spencer
- Oct. 5, at 6:30 p.m., at the Lime Creek Nature Center, 3501 Lime Creek Road, in Mason City
- Oct. 6, at 9 a.m., at the Wallace State Office Building, Fourth Floor West Conference Room, 502 East 9th St., in Des Moines
- Oct. 7, at 3 p.m., Kirkwood Community College, Iowa Hall, 3rd Floor, Room Iowa A/B, 6301 Kirkwood Blvd. SW, in Cedar Rapids.

A complete copy of the rule proposal can be found under animal feeding operations on the DNR Web site at [www.iowadnr.com](http://www.iowadnr.com) or at <http://www.iowadnr.com/afo/newrules.html>.

Comments may be submitted orally or in writing during the public hearings. All other comments must be received no later than Oct. 14. Comments can be sent to Gene Tinker at the Iowa Department of Natural Resources, 502 East Ninth Street, Fax (515) 281-8895, or by email to [gene.tinker@dnr.state.ia.us](mailto:gene.tinker@dnr.state.ia.us).

Anyone who plans to attend a public hearing and has special requirements, such as those related to hearing or mobility, should contact Tinker at (515) 281-3103.

**For more information, contact Gene Tinker at (515) 281-3103.**

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## **DNR ENFORCEMENT ACTIONS**

DES MOINES — The DNR took the following enforcement actions in August and September 2005, unless otherwise noted. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

### **Administrative Orders**

- Stuart Yoder, of Kalona, was ordered to immediately cease all open burning and refrain from any further burning, to properly dispose of all demolition debris currently on-site, to submit proper demolition notification and asbestos results to the DNR prior to demolition, to obtain appropriate permits before transferring waste from one site to another for recycling purposes and to pay a \$5,000 penalty.
- Rick Renken, of LeMars, was ordered to submit an updated manure management plan (MMP) and annual compliance fee, and to pay a \$750 penalty. The order is in regard to failure to submit an MMP and compliance fee for a site in Plymouth County.

### **Consent Orders**

A consent order is issued in settlement of an administrative order or as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

- E and N Farms, of Lyon County, agreed to a penalty payment schedule. The payment schedule is in regard to a 2004 penalty of \$3,000 for animal feeding operation violations.
- Steve Van Utrecht, of New Sharon, agreed to a consent amendment to a 2004 administrative order regarding animal feeding operation violations. Van Utrecht agreed to pay a \$625 penalty. The original administrative order otherwise remains in full effect.

- Greg Popkes and Popkes Car Care, Inc., of Rock Rapids, agreed to a consent order to resolve an open burning violation. Popkes agreed to pay a \$1,000 penalty. The order is in regard to open burning of tires and construction and demolition waste.
- Grain Processing Corporation, of Muscatine, agreed to a consent order to resolve a number of air quality violations. Grain Processing Corporation agreed to pay a \$10,000 penalty. The penalty has been paid.
- Gary Johnson, of Postville, agreed to a consent order to resolve issues regarding the improper construction of a dairy confinement building. Johnson agreed to open one end of the confinement building to create an “open feedlot,” and to submit applications for National Pollutant Discharge Elimination System (NPDES) and flood plain development permits. Johnson also agreed to pay a penalty of \$10,000, of which \$5,000 will be paid to the DNR’s Animal Agriculture Compliance Fund according to a payment schedule. In lieu of the remaining \$5,000, Johnson shall establish buffers on his property along Teeple Creek.
- The City of Atlantic agreed to a consent order to resolve the appeal of an April 2005 administrative order regarding air quality and solid waste violations at a city tree burn site. The city agreed to comply with the requirements for city tree burn sites, cease composting and in the future to not conduct any composting activities at the site, and remove and properly dispose solid waste and ash at the site. The city also agreed to post a sign detailing hours the site is open to the public and regulations regarding open burning at a city tree burn site, as well as to take other steps to prevent illegal dumping and prevent fires. The city also agreed to draft a long term plan for removal of the city tree burn site to a new location and a plan for compliance at the new location, and to pay an \$8,000 penalty.
- Dennis Kuehl, of Atlantic, agreed to a payment schedule for a \$3,000 penalty from an April 2005 administrative order regarding animal feeding operation violations.
- Schmidt Distributors Inc., dba Shoppers Supply Company, of Spencer, agreed to a consent amendment to a 2004 administrative order regarding air quality violations. Schmidt Distributors agreed to pay a \$2,500 penalty, which has been paid. The original administrative order otherwise remains in full effect.
- Top of Iowa Coop, of Ventura, agreed to a consent order for the purpose of resolving continuous violations of Iowa’s fugitive dust rules. Top of Iowa agreed to permanently discontinue the use of the dryer which caused the nuisance emissions of fugitive dust. If this condition is not met, Top of Iowa agrees to pay a \$2,000 penalty.

**For more information, contact Jessie Brown at (515) 281-5131 or [Jessie.Brown@dnr.state.ia.us](mailto:Jessie.Brown@dnr.state.ia.us).**